

### **REMARKS**

Applicant has carefully reviewed the Examiner's Office Action mailed June 16, 2005. As explained below, the disclosure of Tice U.S. Patent 6,229,439 is quite different and does not anticipate the claimed invention.

The apparatus of the '439 patent modifies filtering of outputs from a first sensor S1 based on outputs from a second sensor S2. As described therein:

"A method in accordance with the invention uses one or more of the sensors to establish at least one smoothing coefficient for another one or more of the sensors.

The multiple sensors are used to improve the recognition of a condition or the absence of that condition in order to provide a faster response to the condition or a slower response to false conditions to prevent unwarranted alarms" (Col. 2, lns 38-45 Tice US Patent 6,229,439; see also Figs. 5C, 5D,, and 7B thereof)

Further as noted in the text cited by the Examiner:

"Other functions, such as linear or non-linear equations, could be used. What is required is that the amount of averaging of the first sensor is a function of the response of the second sensor." (Col. 11, lns 6-11 Tice '439)

As further stated by Tice in the '439 Patent:

"Another example of a smoothing method is clamp the response of the first sensor to discreet increments and to vary the size of the increments as a function of the response of the second sensor. When there is no response from the second sensor, the amount of the discreet incremental change of the first sensor is very small.

As the response of the second sensor starts being indicative of the environmental condition, the amount of the discreet incremental change of the first sensor is increased making it faster responding." (Col. 11, lns 13-21 Tice '439)

Thus, the system of Tice '439 incorporates outputs from a second sensor to modify the averaging filtering of the first sensor. This is quite unlike the claimed structure. For example, claim 10 requires that:

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Amendment B  
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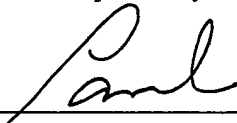
"where the degree of averaging is altered as a function of time in response to at least one of the output or the signal, and including instructions to evaluate the processed signal." (Pending claim 10)

The dependent claims add further limitations not taught, suggested or made obvious by the prior art of record alone or in combination including Tice 6,229,439. Newly added claims are allowable for at least the above reasons. As described above, the pending application is allowable and allowance is hereby requested.

Respectfully submitted,

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By



Paul M. Vargo  
Reg. No. 29,116  
WELSH & KATZ, LTD.  
120 South Riverside Plaza, 22<sup>nd</sup> Floor  
Chicago, Illinois 60606  
Phone: (312) 655-1500  
Fax: (312) 655-1501